



2012 Political Guidelines

Revised (3-23-12)

The following are KLAS's guidelines concerning the sale of political advertising time up to and during the Caucus, Primary and General Election windows of 2012. In order to ensure that all candidates receive equal treatment, these guidelines will be maintained by the station and must be adhered to by all candidates or their representatives. At this time, the station will be accepting all local races during both the primary and general windows. All races must adhere to the limits set on the rate card.

Primary Election Window:

Apr 28th, 2012 through June 12th, 2012

General Election Window:

Sept 7th, 2012 through Nov 6th, 2012

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Guidelines as of: Nov 21, 2011

I. USE OF THE STATION

By the candidates: KLAS will provide reasonable access to all legally qualified candidates for all races for the 2012 elections. We reserve the right to close access to any state or local races at any time during the political window, allowing for equal access opportunities where they may apply.

The purchase of time by legally qualified candidates for all non-federal offices will be allowed on an "as available" basis.

Elections covered are the primary and general elections.

KLAS will make time available for ballot issues, referenda and other non-candidates on an "as available" basis.

Requests for airtime from political action groups and/or from issue-oriented organizations must be reviewed and approved by the General Manager.

II. TIME MAY BE PURCHASED BY:

- A. A legally qualified candidate.
- B. Political party/group/individual/organization on behalf of a legally qualified candidate.
- C. Political party/group/individual/organization in support of or in opposition to a ballot, referendum or other non-candidate issue. Included are political action groups who oppose a particular candidate or issue.

III. TIME CHARGES FOR SPOT ANNOUNCEMENTS

KLAS has established a political advertising policy in accordance with Section 315 of the Communications Act of 1934 and revised FCC rulings of 1991, 1992, and 2002.

The following classes of advertising time are available to all advertisers, including political advertisers. These are the only classes of time sold on KLAS and are available to all:

A. NONPRE-EMPTIBLE LEVEL 1 (NP-1)

For advertisers who must run during a specific time frame on a specific day and who wish not to be pre-empted by higher rate advertisers at anytime during the schedule. Furthermore, this rate class may preempt advertisers in rate classes of a lower rate if a time period is sold out or oversold of all available time.

Advertising placed at nonpre-emptible rates is never preempted by higher priced advertisers, but may be moved due to program changes or technical problems. Should a program be sold out with all NP advertisers at the time of the request, suitable makegoods will be offered.

B. PRE-EMPTIBLE LEVEL 2 (PE2)

Spots of this level are pre-empted by level 1 fixed spots only. In addition, notification of pre-emptions in this rate class is generally offered 3 or more days prior to the pre-emption date, however notification is not guaranteed.

Should a pre-emption occur, every attempt will be made to offer a makegood prior to the election in the program originally ordered. (For example, an ad placed in the 6 P.M. news is preempted three weeks before start. The station will make every attempt to make this spot good in the 6 P.M. news prior to the election if the advertiser desires.) If the same time period is not available, the station will offer comparable reach programming in other dayparts prior to the election. Comparable reach will be primarily defined by audience size.

Prior to the purchase of airtime the station will advise the political advertiser of the likelihood of preemption based on anticipated or changing market conditions. Based on past experience and forecasted market conditions as of November 2011, it is estimated there will be a 30 percent or less chance pre-emptions will occur in this class.

C. PRE-EMPTIBLE LEVEL 3 (PE3)

Ads purchased with rates in this class are pre-empted by level 1 fixed spots. Thus, the likelihood of clearance of pre-emptible level 3 spots is somewhat lower than for higher-priced classes of time. Notification of pre-emptions in this rate class is generally offered 1 or more days prior to the pre-emption date; however, notification is not guaranteed.

If preempted by a higher priced advertiser, the station will attempt to makegood the ad in the same time period prior to the election. If the same time period is not available, the station will offer comparable reach programming in other dayparts prior to the election. Comparable reach will be primarily defined by audience size.

(For example, an ad is scheduled to run in the 6 P.M. news and the ad is preempted by a higher priced advertiser. The station will first look to another 6 P.M. slot prior to the election. However, should this slot not be available, the station will offer for client consideration another area(s) which, upon agreement, will provide a comparable audience size, i.e., two 10,000 viewer ads may be offered for one 20,000 viewer ad which was pre-empted. This makegood will be offered prior to the election.)

Prior to the purchase of airtime the station will advise the political advertiser of the likelihood of preemption based on anticipated or changing market conditions. Based on past experience and forecasted market conditions as of February 2011, it is estimated there will be at least a 40 percent chance preemptions will occur in this class.

D. PRE-EMPTIBLE NO-NOTICE LEVEL 4 (IP-4)

The announcement may be preempted at anytime without prior notice. If a spot is preempted there is no assurance makegoods can be offered.

Prior to the purchase of airtime the station will advise the political advertiser of the likelihood of preemption based on anticipated or changing market conditions. Based on past experience and forecasted market conditions as of November 2011, it is estimated there will be a 90 percent or greater chance preemption's will occur in this class.

E. R.O.S. ADVERTISERS (ROS)

Some advertisers utilize "run of station" advertising plans which extend over broad dayparts, i.e. 6:00A to 10:00A, 6:00A to 6:00P, etc. Broad ROS plans are available to candidates upon request and are immediately pre-emptible. If a spot is preempted there is no assurance makegoods can or will be offered.

IV. LOWEST UNIT CHARGE (LUC)

Lowest Unit Charge rates are offered 45-days prior to a primary election and 60-days prior to a general election.

LUC rates are the lowest rates that run in each program for each of the four classes of time offered by KLAS.

During the LUC windows, the station will automatically audit the rates charged to all advertisers and will promptly rebate any difference between the political rate paid and the LUC airing that broadcast.

It is not necessary to request LUC rebates; they are automatically computed and returned during LUC windows.

V. 5-MINUTE OR 30-MINUTE PROGRAMS

Requests for program time by federal candidates including lengths of 5, 30 and 60 minutes will be considered on an individual basis.

Although not required, the station will consider selling program length time periods to non-federal candidates on an "as available" basis.

VI. REASONABLE ACCESS

KLAS will provide advertising time for all federal candidates. In addition the station will provide time for other non-federal races on an "as available" basis.

There are four guidelines the station uses in determining the amount of time offered to political advertisers in each daypart:

- A. The number of elective offices.
- B. The likely number of candidates for nomination for each office.
- C. Total availabilities within specific time periods.
- D. The recent history of demand for political advertising on KLAS.

The station reserves the right to establish reasonable daypart limits to preserve access to the daypart by all advertisers.

HOWEVER, ALL POLITICAL ADVERTISERS MAY INQUIRE PERIODICALLY IF ADDITIONAL TIME CAN BE MADE AVAILABLE IN ANY DAYPART INCLUDING NEWS, PRIME, DAYTIME, ETC.

VII. SPECIAL TIME CHARGE FORMULAS

Rates quoted on the attached grid are for 30-second announcements. :15/:15 Bookend spots are the same charge as a :30, however they must be ordered as :15/:15 bookends. They cannot be ordered as :30's and then traffic sent for Bookends.

LUC Rates for unit lengths other than 30-seconds will be determined upon request.

VIII. In order to provide an optimum level of service to candidates, KLAS requires that all orders for political advertising carefully specify what is being purchased.

IX. All political sales orders are to be submitted with an NAB Agreement Form for political Broadcasts to KLAS for clearance. A disposition of all orders is to be made within 48 hours of submission. An Agreement Form for Political Broadcasts must be completed for ALL specific requests for use of station time by or on behalf of any legally qualified candidate for public elective office and ballot initiatives. Copies are to be given to the designated station political representative who will then ensure those materials are displayed in the Public File.

X. All broadcast materials (tapes, films, slides, copy, traffic instructions) must be **delivered** to the station traffic department by log deadline for the start date of the order (except for live candidate appearances). Due to log and time constraints, KLAS will **not** be able to pick-up checks and tapes. When broadcasts begin on a Sunday or Monday, broadcast materials must be received at the station by 10AM the preceding Friday. Additionally, no orders will be accepted for the weekend or for the Monday prior to the primary or election day after 10AM the preceding Friday.

All material(s) must be dropped off at KLAS. Tapes, checks, etc. No exceptions.

XI. Paid political advertising will be accepted to air on the day of the primary and general elections.

XII. Whether the request is accepted or denied, a completed NAB Agreement Form for Political Broadcasts is to be placed in the stations' Political Broadcast File, which is part of the Public Inspection file in the General Manager's office.

XIII. All contracts will be placed in the Public Inspection file in accordance with FCC regulations.

XIV. A record of the NAB Agreement Form for Political Broadcasts must be completed for every subsequent order by the same candidate or ballot proposition. The above procedures must be repeated.

XV. All candidates to be voted on in primary and general elections are required to submit full payment by log deadline prior to the start of the schedule. If partial payment is made, only that portion of the contract which corresponds to the payment shall be confirmed. All unpaid portions of the contracts shall be subject to removal from the system.

XVI. Payment for each candidate's airtime must be paid with separate checks. Payment for different candidates on the same check is not allowed.

XVII. All candidate and issue advertisers are required to submit payment in full by log deadline prior to the start date of the schedule.

XVIII. All Broadcast materials are to be submitted to KLAS for review and must include sponsorship identification. The station will bring objectionable material to the candidate's attention but in no instance may the station edit or censor material which constitutes a "use" by a candidate. If for any reason, material not involving a candidate's "use" is rejected, the client will be immediately notified so appropriate changes may be made.

XIX. Visual sponsorship identification is required on all announcements within the time purchased. Visual sponsorship identification for television must be sufficiently large (smallest font used must be at least 4% of the vertical picture height... all letters **MUST comply**). It must clearly identify the commercials as "paid and/or paid for by" the appropriate organization. The disclaimer must appear either at the beginning or the end of the broadcast, not the middle. It must also remain on the television screen for at least four seconds. Should a spot not meet this 4 second requirement, the station's production department can add/change/fix the graphic for a charge of \$50.00.

XX. Federal Candidates are required to provide written certifications at the time a schedule is purchased. It must certify whether or not the spot refers to another candidate for the same office, and if so, an enhanced sponsorship identification is required on the spots. The enhanced sponsorship should: A) identify the candidate, B) state that the candidate approved the broadcast, C) state that the broadcast has been paid for by the candidate or candidate's authorized committee. This can be achieved by one of two ways: 1) The candidate must make the statement in an unobscured, full-screen view (at least 80%), or a candidate voice-over, accompanied by a clearly identifiable photograph or similar image of the candidate. 2) There must also be a written presentation of the statement at the end of the spot, for at least 4 seconds, readable, and with reasonable color contrast. This is known as the Stand By Your Ad Provision meant to restrict "attack ads" placed by opposing candidates. Failure to adhere to certification requirements means that the candidate forfeits all rights to LUC for all spots airing during the remainder of the political window.

XXI. Production facilities are available to political advertisers, provided the facilities are first reserved and payment in full is made upon completion of production. The broadcast material will not be considered as received by the station until the completion of production.

XXII. Contract reconciliation should be done within 90 days of the date an invoice is received. Discrepancies will not be considered beyond this date.

XXIII. Candidate advertising will be accepted outside of the political windows. Rates will be based on available inventory and current market conditions.

XXIV. Candidate LUC Rate cards will be published by the station one month prior to the primary window and one month prior to the general window.

XXV. Rates for Issue/Advocacy are subject to change on a daily basis if dictated by inventory demands. If rates are requested for these buys and buy cannot be placed within 24 hours, a new rate card must be requested. Issues ads must contain proper sourcing, particularly for attack ads. If documentation of sources is requested by the station, it must be provided within 24 hours or the ad is subject to being pulled from the air.

XXVI. If a union chooses to place ads on behalf of a PAC, Issue, Advocacy group, or candidate, their ads will be subject to the same restrictions applied to union ads outside the political window.